

## **FIRE RING REMOVAL**

Sixty beach fire rings are provided into two areas of the City: 33 fire rings near the Balboa Pier and 27 fire rings on Big Corona State Beach in Corona del Mar. The City intends to remove the fire rings due to negative health effects.



In early 2012, the City Council of Newport Beach directed the City's Parks, Beaches, and Recreation Commission ("Commission") to review issues relating to beach fire rings due to concerns expressed by area residents. On February 7, 2012, the Commission conducted a noticed public meeting and considered health and safety information and several alternatives to removal of the fire rings. After public input, the Commission recommended to remove the fire rings. On March 13, 2012, City Council conducted a noticed public meeting and considered the recommendation of Parks, Beaches and Recreation Commission. (Attachment A includes the minutes and public noticing materials from both meetings.) After a thorough review and public testimony, the City Council directed the City Manager to abate the nuisance caused by the existing fire rings and to take all necessary steps to remove them.

### *Concerns*

1. Potential ill health effects to beachgoers and nearby residents due to smoke and particulate matter from fires within the fire rings. (Attachment B provides research conducted on the ill health effects as well as the potential for injuries associated with fire rings.) Also, users of fire rings have the tendency to burn inappropriate materials such as treated paper or plastic creating toxic smoke.
2. Concern for safety of beachgoers due to burns from fires or hot ash that may not be doused or disposed of properly.
3. Negative impacts to nearby residents whose homes are downwind of the fire rings who have a reasonable expectation to live in a smoke free environment.

### *Alternatives Considered*

1. Limiting the hours or days the fire rings could be used.
2. Limiting and enforcing the type materials burned such as a manufactured fire log that is reported to burn 60% cleaner than wood.
3. Relocating or reducing the number of fire rings.
4. Leaving the fire rings as they currently exist (do nothing).

Both the Parks, Beaches, and Recreation Commission and the City Council considered these alternatives, and concluded that none of the alternatives addressed health and safety risks. Using manufactured fire logs creates a significant enforcement problem that limited resources cannot address. Relocating or reducing the number of fire rings does not completely address the health and safety concern. Relocating fire rings simply exposes other property owners who are not presently impacted.

### *California Coastal Act Compliance*

The California Coastal Act establishes a goal to maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound conservation principles and constitutionally protected rights of private property owners (PRC §30001.5 & 30210). The City and the Coastal Commission have a responsibility to assure the orderly and balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state. Public access to the beach is presently provided (Attachment C). The removal of the fire rings strikes an appropriate balance where the public can enjoy the beach while avoiding negative health and safety issues that impact beachgoers and nearby property owners who have the right enjoy a smoke free environment. The presence of fire rings impedes full use and enjoyment of the beach due to the fact that the majority of beachgoers do not wish to utilize the fire rings and are excluded from

these areas. Removal of the fire rings will enhance access to all beachgoers by providing additional beach area for all to enjoy.

Although lower cost visitor and recreational facilities are to be protected, encouraged, and where feasible, provided (PRC §30213), access to and use of fire rings is not the lowest cost recreational facility (an open beach is) and protecting a recreational facility that negatively impacts health and safety is not appropriate.

The Coastal Act also does not limit the City's ability to manage recreational resources when consistent with the Coastal Act or abate nuisances (PRC §30005). In this case, fire rings clearly present a health and safety impact to the public and public access is not negatively impacted. Similarly, the City's Coastal Land Use Plan (Policy 3.2.2-3) allows the City to remove recreational facilities provided there are comparable facilities and level of service. Although the fire rings will be removed, the added beach area will enhance lateral access along the coast by allowing a wider variety of recreational uses which will provide a comparable level of service.

Attachments:

- A Minutes and Public Noticing Materials
- B Research Documentation
- C Locations and Access